

**Remarks:**

Claims 1-4, 6-10, 12-20, 29-33, 35-40, and 43-46 were previously pending. Claims 1, 8, 14, 17, 29, and 44 have been amended. Claims 3, 10, 16, and 33 have been canceled. Thus, claims 1, 2, 4, 6-9, 12-15, 17-20, 29-32, 35-40, and 43-46 are currently pending in the application with claims 1, 8, 14, 29, 37, and 44 being independent.

The Examiner indicated that claims 37-40 and 43 are allowed. The Examiner also indicated that claims 16-19 would be allowable if rewritten in independent form. In this regard, claim 14 has been amended to include the limitations of claim 16.

In the Office Action, the Examiner rejected claims 1, 2, 4, 6-9, 12-15, 20, 29-32, 35-36, and 44-46 under 35 U.S.C. § 103(a) as being unpatentable over Fruchterman et al., U.S. Patent No. 5,470,233, in view of Michaelson et al., U.S. Patent No. 6,469,664. The Examiner also rejected claims 3, 10, and 33 under 35 U.S.C. 103(a) as being unpatentable over Fruchterman and Michaelson in view of Colley, U.S. Patent No. 5,592,382. Applicant respectfully submits that the currently pending claims distinguish the present invention over Fruchterman, Michaelson, Colley, and the other prior art references taken alone or in combination.

Claims 1 and 29 each now recite “identifying one or more non-user selected waypoints between the two or more waypoints in order to avoid the user identified criteria.” Claim 8 now recites “identifying one or more non-user selected waypoints between the two or more waypoints in order to avoid the user identified criteria.” Claim 44 now recites “wherein the processor identifies one or more non-user selected waypoints between the two or more waypoints in order to avoid the user identified criteria.”

The Examiner acknowledges that neither Fruchterman nor Michaelson discloses identifying one or more non-user selected waypoints between the two or more waypoints in order to avoid the user identified criteria. Page 9 of the July 6, 2007 Office Action. Thus, claims 1, 8, 29, and 44, are therefore also allowable.

The remaining claims all depend directly or indirectly from independent claims 1, 8, 14, 29, 37, or 44, and are therefore also allowable.

Any additional fee which is due in connection with this amendment should be applied against our Deposit Account No. 501-791. In view of the foregoing, a Notice of Allowance appears to be in order and such is courteously solicited.

Respectfully submitted,

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